



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

memorandum

TO: Chief, Reference Information Center
Chief, Wireless Telecommunications Bureau

FROM: Daniel M. Armstrong *DMA*
Associate General Counsel

SUBJECT: *Celtronix Telemetry, Inc. v. FCC*, No. 01-1062 and *Celtronix Telemetry, Inc. v. FCC & USA*, No. 01-1063. Filing of a Notice of Appeal and a Petition for Review and in the United States Court of Appeals for the District of Columbia Circuit.

DATE: February 26, 2001

This is to advise you that, on February 9, 2001, Celtronix Telemetry, Inc. ("Celtronix"), filed a Notice of Appeal, pursuant to 47 U.S.C. § 402(b), of the following Orders and Public Notices: *In the Matter of Amendment of Part 95 of the Commission's Rules to Provide Regulatory Flexibility in the 218-219 MHz Service, Second Order on Reconsideration of the Report and Order and Memorandum Opinion and Order*, WT Docket No. 98-169, FCC 00-411 (released December 13, 2000); *Order on Reconsideration*, FCC 99-372, 14 FCC Rcd 21078 (1999); *Report and Order and Memorandum Opinion and Order*, FCC 99-239, 15 FCC Rcd 1497 (1999); *Public Notice*, DA 99-3006, 15 FCC Rcd 22 (1999); *Public Notice*, FCC 00-60 (released February 18, 2000); *Public Notice*, DA 00-900 (released April 20, 2000); and *Public Notice*, DA 01-9 (released January 3, 2001). On the same date, Celtronix filed a Petition for Review, pursuant to 47 U.S.C. § 402(a), of the same Orders and Public Notices.

Appellant/Petitioner Celtronix challenges the above-referenced Orders and Public Notices, which adopted modified rules regarding installment payment grace periods and late payment fees that apply to 218-219 MHz Services licensees.

The Court has docketed the notice of appeal as No. 01-1062, and the petition for review as No. 01-1063 and consolidated the cases. The attorney assigned to **handle** the litigation of these cases is Stewart A. Block.